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6 UNITED STATES DISTRICT COURT  
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8 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO/OAKLAND  
9 DIVISION

10 JANE ROE, an individual; MARY ROE,  
11 an individual; SUSAN ROE, an  
individual; JOHN ROE, an individual;  
12 BARBARA ROE, an individual;  
PHOENIX HOTEL SF, LLC, a  
California limited liability company;  
13 FUNKY FUN, LLC, a California limited  
liability company; and 2930 EL  
14 CAMINO, LLC, a California limited  
liability company,

15 Plaintiffs,

16 v.

17 CITY AND COUNTY OF SAN  
18 FRANCISCO, a California public entity,

19 Defendants.  
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Case No. 4:24-cv-01562-JST-RMI

**STIPULATION AND ~~PROPOSED~~  
ORDER**

1 The undersigned parties stipulate as follows:

2 Magistrate Judge Robert M. Illman held a discovery hearing on October 28,  
3 2025, and ruled that plaintiffs could depose third-party witnesses Joe Wilson and Dr.  
4 Tyler TerMeer, but that such depositions be conducted remotely and be limited in  
5 time to two hours or less.

6 Magistrate Judge Illman also ordered plaintiffs' counsel to obtain dates that  
7 these third party witnesses and their counsel would be available for deposition.  
8 Magistrate Judge Robert M. Illman also ordered the parties to meet-and-confer and  
9 propose a deadline by which the depositions were to occur, and to submit a report  
10 and proposed stipulation to his court by October 30, 2025.

11 Plaintiffs' counsel conferred with counsel for the third-party witnesses. The  
12 deposition of Joe Wilson is scheduled to occur starting at 10 a.m. on November 14,  
13 2025. Plaintiffs' counsel is waiting to hear back from counsel for Dr. TerMeer about  
14 his availability on November 13, or the afternoon of November 14. Counsel for  
15 defendant City and County of San Francisco is available on these dates. The parties  
16 therefore stipulate that these depositions can occur on those dates.

17 Plaintiffs intend to submit an administrative motion to the Judge Jon S. Tigar  
18 asking the Court to adjust the briefing schedule on their motion for a preliminary  
19 injunction, currently set forth in EF No. 110. The parties have met-and-conferred on  
20 that schedule. Plaintiffs will propose that their reply brief (currently due on  
21 November 7, 2025) be due on November 21, 2025, and that the City's sur-reply  
22 (currently be due on November 21, 2025) be due on December 12, 2025. Defendant  
23 intends to oppose the motion.

24 SO STIPULATED.  
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1 Dated: October 30, 2025

WALKUP, MELODIA, KELLY & SCHOENBERGER

2  
3 By: /S/ Matthew D. Davis

4 MATTHEW D. DAVIS

Attorneys for ALL PLAINTIFFS

5  
6 Dated: October 30, 2025

7 DAVID CHIU

8 CITY ATTORNEY

9 YVONNE R. MERÉ

CHIEF DEPUTY CITY ATTORNEY

10 TARA M. STEELEY

11 JOHN H. GEORGE

KAITLYN M. MURPHY

12 SABRINA M. BERDUX

13 ABIGAIL H. WALD

14 Deputy City Attorneys

15 By: /S/ Kaitlyn Murphy

16 KAITLYN MURPHY

17 Attorneys for Defendant

CITY AND COUNTY OF SAN FRANCISCO

18 *\*\*Pursuant to L.R. 5-1(h)(3), the electronic*  
19 *signatory attests that each of the other*  
20 *Signatories have concurred in the filing of this*  
21 *document.*

22 IT IS SO ORDERED.

23 Dated: November 3, 2025



24 MAGISTRATE JUDGE ROBERT M.  
25 ILLMAN